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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/009,499	05/30/2002	Claus Pedersen	087955-0260	4966
30542	7590	02/09/2009		
FOLEY & LARDNER LLP			EXAMINER	
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			ART UNIT	PAPER NUMBER
			2161	
			MAIL DATE	DELIVERY MODE
			02/09/2009	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/009,499

**Applicant(s)**

PEDERSEN, CLAUSS

**Examiner**

CINDY NGUYEN

**Art Unit**

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 03 December 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 24-35 and 43-60 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 24-35, 43-60 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

DETAILED ACTION

This is response to communication filed 12/03/08.

*Response to Arguments*

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

*Specification*

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

Claims 55 and 58 recite the limitation "a computer-readable medium". There is insufficient antecedent basis for this limitation in the claim.

*Claim Rejections - 35 USC § 112*

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 26 recites the limitation "wherein a pull" in claim 24. There is insufficient antecedent basis for this limitation in the claim.

*Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 43-46 are rejected under 35 U.S.C. 102(e) as being anticipated by  
Holland et al. (US 6507867, hereafter Holland).

Regarding claim 43, Holland discloses: a device comprising a transceiver (450, fig. 4A) and a processor (470, fig. 4A), the transceiver establishing a session with a proxy (460, fig. 4A), the proxy providing access to the server the processor is operable to generate and make a request (401, fig. 4A) and to retrieve first content from the server simultaneously with further content linked to the first content (i.e., retrieving the pages and other files identified in the bundle... see col. 11, lines 42-47, lines 63-64, Holland).

Regarding claim 44, all the limitations of this claim have been noted in the rejection of claim 43 above. In addition, Hawkins discloses further including a memory in which the retrieved content is stored (480, fig. 4A, Holland).

Regarding claim 45, all the limitations of this claim have been noted in the rejection of claim 43 above. In addition, Hawkins discloses: wherein the browser retrieves the further content from a further server (see col. 14, lines 48-51, Holland).

Regarding claim 46, all the limitations of this claim have been noted in the rejection of claim 43 above. In addition, Hawkins discloses: wherein the browser is selectively operable to retrieve the further content (see col. 11, lines 62-64, Holland).

*Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 24-35, 43-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holland et al. (US 6507867, hereafter Holland) in view of Peterson et al. (US 20010003828, hereafter Peterson).

Regarding claim 24, Holland discloses: an apparatus comprising:

a receiver and a transmitter with configured to receive and transmit data packets from at least one server through a link which transmits the data packets between the terminal and at least one server (see col. 12, lines 17-22, Holland);

a first memory (480, fig. 4, Holland) comprising an identifier and at least one item, the at least one item having an access point which indicates a location (URL) of the at least one server to be accessed, wherein the at least one server is accessed by sending the identifier to the link to identify a first content to be accessible at the at least one server, and wherein the first content is associated with link content provided at different locations in the at least one server or in another server (see col. 11, lines 38-52, Holland);

processor (12, fig. 1, Holland) configured to read an item from the first memory (440, fig. 4A) and to establish a session to the link (402, fig. 4A), and to fetch a copy of the first content from the at least one server, at the location indicated by the access point, to be stored in the first memory or in a second memory, wherein the second memory is arranged to store temporarily or permanently the copy of the first content (see col. 11, lines 38-52, Holland);

a user interface connected to the processor (16, 12, fig. 1 and corresponding text, Holland), the user interface including a display configured to display the copy of the first content received from the at least one server and a user input, configured to control the processor (see col. 9, lines 41-47, Holland); and

However, Holland didn't disclose: wherein the receiver and transmitter are configured to fetch a copy of the first content and a copy of the link content simultaneously upon a request generated by the processor, the transmitter configured to send the request as a data packet, comprising an instruction to the at least one

server to send the copy of the first content from a given location in the at least one server, indicated by the access point, together with a copy of the link content, simultaneously. On the other hand, Peterson discloses: wherein the receiver and transmitter are configured to fetch a copy of the first content and a copy of the link content simultaneously upon a request generated by the processor, the transmitter configured to send the request as a data packet, comprising an instruction to the at least one server to send the copy of the first content from a given location in the at least one server, indicated by the access point, together with a copy of the link content, simultaneously such as the webcast center 152 fetches the package files from the package store... see paragraphs 0108, 0113, 0045, Peterson). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include web fetching in the system of Holland as taught by Peterson. The motivation being to provide the fetching program that goes out to the server and retrieves the web content over the Internet, or a broadcast packet rebuilder that reconstructs web content that is broadcast over a wireless network (see paragraph 0024, Peterson).

Regarding claim 25, all the limitation of this claim have been note in rejection of claim 24 above. In addition, Holland discloses: wherein the first content and the link content is provided in the same server (see col. 9, lines 28-32, Holland).

Regarding claim 26, all the limitation of this claim have been note in rejection of claim 24 above. In addition, Holland discloses: wherein a pull means is provided with a selecting means, in order to choose which content is to be fetched (0076, Peterson).

Regarding claim 27, all the limitation of this claim have been note in rejection of claim 24 above. In addition, Holland discloses: wherein the second memory is an external memory, provided with a connection to the terminal (i.e., 410, 430, fig. 4A, Holland).

Regarding claim 28, all the limitation of this claim have been note in rejection of claim 24 above. In addition, Holland discloses: wherein the second memory is in the terminal (i.e., 480, fig. 4A, Holland).

Regarding claim 29, all the limitation of this claim have been note in rejection of claim 24 above. In addition, Holland discloses: wherein the second memory is a cache memory (460, fig. 4A, Holland).

Regarding claim 30, all the limitation of this claim have been note in rejection of claim 24 above. In addition, Holland discloses: wherein the first memory is a SIM card (see paragraph 0053, Peterson).

Regarding claim 31, all the limitation of this claim have been note in rejection of claim 24 above. In addition, Holland discloses: wherein the apparatus terminal is a cellular phone (see col. 8, lines 27, Holland).

Regarding claim 32, Holland discloses: a method comprising: reading an item in-t-he first memory and an identifier, the item comprising at least one access point indicating the location of a server to be accessed (440, fig. 4A, and corresponding text, Holland);

generating a request, the request comprising information of the at least one access point, and the identifier identifying a first content of the at least one access point, the first



content being associated with link content provided at different locations in the server or in another server (see col. 11, lines 38-52 , Holland);

initiating a session to a link, by transmitting the request from the cellular communication terminal to the link, the link sending data packets between the terminal and the server (see col. 11, lines 38-52 , Holland);

identifying the request at the link(see col. 11, lines 38-52 , Holland); and  
establishing a session between the terminal and the link, wherein the request and has an instruction to the server to send a copy of the first content from a given location in the server, indicated by the access point, together with a copy of the link content, simultaneously (i.e., retrieving the pages and other files identified in the bundle... see col. 11, lines 42-47, lines 63-64, Holland);

fetching a copy of the first content and a copy of the link content simultaneously (the webcast center 152 fetches the package files from the package store... see paragraphs 0108, 0113, 0045, Peterson). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include web fetching in the system of Holland as taught by Peterson. The motivation being to provide the fetching program that goes out to the server and retrieves the web content over the Internet, or a broadcast packet rebuilder that reconstructs web content that is broadcast over a wireless network (see paragraph 0024, Peterson).

Regarding claim 33, all the limitation of this claim have been note in rejection of claim 32 above. In addition, Holland discloses: wherein the copy of the first content and the link content is stored in a second memory (see col. 12, lines 5-9, Holland).

Regarding claim 34, all the limitation of this claim have been note in rejection of claim 32 above. In addition, Holland discloses: wherein the copy of the first content and the link content are from the same server (see col. 9, lines 28-32, Holland).

Regarding claim 35, all the limitation of this claim have been note in rejection of claim 34 above. In addition, Holland discloses: comprising fetching a copy of the link content from a further server (i.e., web server 22, fig. 1, Peterson).

Regarding claim 47, Holland discloses: A method, comprising:  
receiving data packets (see col. 9, lines 55-60, Holland);  
within the data packets, receiving a request, the request comprising information of at least one access point indicating a location of the server to be accessed and an instruction to the server to send a copy of a first content from a location in the server together with a copy of link content simultaneously, wherein the first content of at least one access point is identified by an identifier and the first content is associated with the link content provided at different

locations in at least one of the server and another server (see col. 11, lines 38-52 , Holland);  
and

effectuating a process of simultaneously fetching the copy of the first content and the link content from the server (the webcast center 152 fetches the package files from the package store... see paragraphs 0108, 0113, 0045, Peterson). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include web fetching in the system of Holland as taught by Peterson. The motivation being to provide the fetching program that goes out to the server and retrieves the web content over the Internet, or a broadcast packet rebuilder that reconstructs web content that is broadcast over a wireless network (see paragraph 0024, Peterson).

Regarding claim 48, all the limitation of this claim have been note in rejection of claim 47 above. In addition, Holland discloses: wherein the copy of the first content and the link content are from the same server (see col. 9, lines 28-32, Holland).

Regarding claim 49, all the limitation of this claim have been note in rejection of claim 47 above. In addition, Holland discloses: wherein the copy of the first content and the link content is stored in a memory of a cellular communication terminal (see col. 12, lines 5-9; col. 8, lines 27, Holland).

Regarding claim 50, Holland discloses: A computer program product, embodied on a computer-readable medium comprising computer code configured to perform the processes of claim 47 (28, fig. 1 Holland).

Regarding claim 51, Holland discloses: A server (440, fig. 4a), comprising:  
a processor unit(12, Fig. 1, Holland); and  
a memory unit operatively connected to the processor unit and including (28, fig. 1, Holland):

computer code configured to receive data packets (see col. 11, lines 38-52 , Holland);  
computer code configured to receive a request within the data packets, the request comprising information of at least one access point indicating a location of the server to be accessed and an instruction to the server to send a copy of a first content from a location in the server together with a copy of link content simultaneously, wherein the first content of at least one access point is identified by an identifier and the first content is associated with the link content provided at different locations in at least one of the server and another server; an computer code configured to effectuate a process of simultaneously fetching the copy of the first content and the link content from the server the webcast center 152 fetches the package files from the package store... see paragraphs 0108, 0113, 0045, Peterson). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include web fetching in the system of Holland as taught by Peterson. The motivation being to provide the fetching program that goes out to the server and retrieves the web content over the

Internet, or a broadcast packet rebuilder that reconstructs web content that is broadcast over a wireless network (see paragraph 0024, Peterson).

Regarding claim 52, all the limitation of this claim have been note in rejection of claim 51 above. In addition, Holland discloses: , wherein the copy of the first content and the link content are from the same server (see col. 9, lines 28-32, Holland).

Regarding claim 53, Holland discloses: A method of fetching content from a server, comprising:

transceiving data packets from at least one server during an established session;  
effectuating access to the server by receiving an access point indicating a location of the server to be accessed and an identifier identifying a first content to be accessed, wherein the first content is associated with link content provided at different locations in one of the server and another server (see col. 11, lines 38-52 , Holland); and

participating in a fetching process comprising fetching a copy of the first content from the server at the location indicated by the access point and fetching a copy of the link content simultaneously in response to a request sent as a data packet included within the transceiver data packets, the request including an instruction to the server to send the copy of the first content from a given location in the server indicated by the access point together with the copy of the link content, simultaneously (the webcast center 152 fetches the package files from the package store... see paragraphs 0108, 0113, 0045, Peterson). Thus, at the time invention was made, it would have been

obvious to a person of ordinary skill in the art to include web fetching in the system of Holland as taught by Peterson. The motivation being to provide the fetching program that goes out to the server and retrieves the web content over the Internet, or a broadcast packet rebuilder that reconstructs web content that is broadcast over a wireless network (see paragraph 0024, Peterson).

Regarding claim 54, all the limitation of this claim have been note in rejection of claim 53 above. In addition, Holland discloses: wherein the first content and the link content is provided in the same server (see col. 9, lines 28-32, Holland).

Regarding claim 55, Holland discloses: A computer program product, embodied on a computer-readable medium comprising computer code configured to perform the processes of claim 53 (28, fig. 1, Holland).

Regarding claim 56, Holland discloses: A server (440, fig. 4A, Holland), comprising:  
a processor unit (12, fig. 1 and corresponding text, Holland); and  
a memory unit (28, fig. 1) operatively connected to the processor unit and including computer code configured to transceiver data packets from at least one server during an established session (12, 28, fig. 1);  
computer code configured to effectuate access to the server by receiving an access point indicating a location of the server to be accessed and an identifier identifying a first content to be accessed, wherein the first content is associated with link content provided at

different locations in one of the server and another server ((see col. 11, lines 38-52 ; and 410, 430, fig. 4A, Holland); and

computer code configured to participate in a fetching process comprising fetching a copy of the first content from the server at the location indicated by the access point and fetching a copy of the link content simultaneously in response to a request sent as a data packet included within the transceiver data packets, the request including an instruction to the server to send the copy of the first content from a given location in the server indicated by the access point together with the copy of the link content, simultaneously (the webcast center 152 fetches the package files from the package store... see paragraphs 0108, 0113, 0045, Peterson). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include web fetching in the system of Holland as taught by Peterson. The motivation being to provide the fetching program that goes out to the server and retrieves the web content over the Internet, or a broadcast packet rebuilder that reconstructs web content that is broadcast over a wireless network (see paragraph 0024, Peterson).

Regarding claim 57, all the limitation of this claim have been note in rejection of claim 56 above. In addition, Holland discloses: wherein the first content and the link content is provided in the same server (440, fig. 4A, Holland).

Regarding claim 58, Holland discloses: A computer program product, embodied on a computer-readable medium for fetching content from at least one server comprising (440, fig. 4A, Holland):

computer code configured to receive and transmit data packets from at least one server through a link which transmits the data packets between the terminal and the at least one server (see col. 11, lines 38-52 , Holland);

computer code configured to store in a first memory, an identifier and at least one item, the at least one item is provided with an access point which indicates ~ a location of the at least one server to be accessed, wherein the at least one server is accessed by sending the identifier to the link to identify a first content to be accessed at the at least one server, and wherein the first content is associated with t-he link content provided at different locations in the at least one server or in another server (see col. 11, lines 38-52 , Holland);

computer code configured to establish a session to the link by reading an item from the first memory, and fetching a copy of the first content from the at least one server, at the location indicated by the access point, to be stored in the first memory or in a second memory, wherein the second memory temporarily or permanently stores the copy of the first content (see col. 11, lines 38-52 , Holland);;

computer code configured to display the copy of the first content received from the at least one server and a user input which controls the browser application (see col. 9, lines 41-47, Holland); and

computer code configured to fetch a copy of the first content and a copy of the link content simultaneously upon a request generated by the browser application, the



request being sent through a transmitter as a data packet, comprising an instruction to the at least one server to send a the copy of the first content from a given location in the at least one server, indicated by the access point, together with a copy of the link content, simultaneously (the webcast center 152 fetches the package files from the package store... see paragraphs 0108, 0113, 0045, Peterson). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include web fetching in the system of Holland as taught by Peterson. The motivation being to provide the fetching program that goes out to the server and retrieves the web content over the Internet, or a broadcast packet rebuilder that reconstructs web content that is broadcast over a wireless network (see paragraph 0024, Peterson).

Regarding claim 59, all the limitation of this claim have been note in rejection of claim 58 above. In addition, Holland discloses: wherein the first content and the link content is provided in the same server (440, fig. 4A, Holland).

Regarding claim 60, all the limitation of this claim have been note in rejection of claim 24 above. In addition, Holland discloses: wherein the apparatus is a cellular communications terminal (see col. 8, lines 27, Holland).

*Contact Information*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 571-272-4025. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. N./  
Examiner, Art Unit 2161

/Etienne P LeRoux/  
Primary Examiner, Art Unit 2161

